

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KIENAN C. DIETRICH,

Defendant.

4:13CR3087

MEMORANDUM AND ORDER

After conferring with the defendant at length concerning his pro se filings, affording him the opportunity to present his arguments, and explaining the likely outcome of those arguments and their effect on the outcome of case,

IT IS ORDERED:

- 1) Upon defendant's request, his pro se "Motion for Discovery and Brady Request," (Filing No. 20), is withdrawn.
- 2) With the government's consent, the pretrial motion deadline is continued, and the defendant is afforded until September 5, 2013 to confer with his counsel, determine whether to pursue arguments for suppression of evidence, and have his attorney file a motion to suppress on his behalf.
- 3) A hearing will be held before the undersigned magistrate judge on September 25, 2013 at 1:00 p.m. The hearing will be used to either receive evidence and arguments on any motion to suppress filed by defense counsel on the defendant's behalf, or receive evidence and make findings on defendant's plea of guilty, or set this case for trial. The defendant, his counsel, and counsel for the government shall appear at the hearing.
- 4) Trial of this case is continued pending resolution of any pretrial motions filed.
- 5) The time between today's date and September 25, 2013, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

August 22, 2013.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge